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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 AMERICAN DIAGNOSTIC MEDICINE,
12 INC.,

13 Plaintiff,

14 v.

15 ROBERT WALDER, PAUL KAPLAN, and
16 DOES 1 through 100, inclusive,

17 Defendants.

18 PAUL KAPLAN and ROBERT WALDER,

19 Counter-Claimants,

20 v.

21 AMERICAN DIAGNOSTIC MEDICINE,
22 INC.

23 Counter-Defendant.

CASE NO. 07cv2401 W (CAB)

JUDGE: Hon. Thomas J. Whelan

CTRM: 7

**JOINT MOTION TO EXTEND DEADLINE
TO AMEND PLEADINGS**

24 WHEREAS, the Magistrate Judge's April 23, 2008 Case Management Conference Order
25 established a May 23, 2008 deadline to file any motion to amend the pleadings in the matter;

26 WHEREAS, the parties are in the process of attempting in good faith to negotiate a
27 settlement of the matter;

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1 WHEREAS, at the parties' request, the Magistrate Judge scheduled a Mandatory
2 Settlement Conference on May 21, 2008, at 2:00 p.m.

3 WHEREAS, in light of the possibility that the matter may settle at the May 21, 2008
4 Mandatory Settlement Conference, the parties wish to avoid any unnecessary expense associated
5 with amending the pleadings and/or filing a motion to amend the pleadings; and

6 WHEREAS, the parties wish to extend their deadline for filing any motion to amend the
7 pleadings by a period of two weeks;

8 THE PARTIES HEREBY JOINTLY MOVE as follows:

9 1. The May 23, 2008, deadline for the parties to file any motion to amend the
10 pleadings shall be extended to June 6, 2008.

11 DATED: May 16, 2008 CLAUSEN MILLER P.C.

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13 By: s/Joshua A. Aldort
14 Keith E. Butler
15 Joshua A. Aldort
16 Attorneys for Plaintiff, AMERICAN DIAGNOSTIC
MEDICINE, INC.

17 DATED: May 16, 2008 LUCE, FORWARD, HAMILTON & SCRIPPS LLP

18
19 By: s/Micah D. Parzen
20 Phillip L. Kossy
21 Micah D. Parzen
22 Attorneys for Defendant/Counter-Claimant,
ROBERT WALDER

23 DATED: May 16, 2008 DRINKER BIDDLE & REATH LLP

24
25 By: s/Siobhan A. Cullen
26 Siobhan A. Cullen
27 Attorneys for Defendant PAUL KAPLAN
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